

## MEMORANDUM

To: FILE

From: Bryan R. Le Blanc, Procurement Officer

Re: Public Notification and Quote Process – Hunnewell Park Fence Repair

Date: September 16, 2021

In August 2021, I received a procurement request for repair of the Hunnewell Park Fence. The estimated cost of the repairs is between \$10,000 and \$50,000.

The requisite statutory reference governing this maintenance service for a public work is M.G.L. c. 149, §44A, which provides, in relevant part, as follows:

*(B) Every contract for the construction, reconstruction, installation, demolition, maintenance or repair of any building estimated to cost not less than \$10,000 but not more than \$50,000 shall be awarded to the responsible person offering to perform the contract at the lowest price. The public agency shall make public notification of the contract and shall seek written responses from no fewer than 3 persons who customarily perform such work. The solicitation shall include a scope-of-work statement that defines the work to be performed and provides potential responders with sufficient information regarding the objectives and requirements of the public agency and the time period within which the work shall be completed. The public agency shall record the names and addresses of all persons from whom written responses were sought, the names of the persons submitting written responses and the date and amount of each written response. A public agency may utilize a vendor list established through a statewide contract procured through the operational services division to identify 1 or more of the persons from whom it will seek written responses for purposes of this paragraph. A public agency may also procure a blanket contract to establish a listing of vendors in certain defined categories of work that are under contract to provide services for multiple individual tasks of not more than \$50,000 each, and from whom written responses will be sought. Any such blanket contract procured by the awarding authority shall be procured pursuant to either section 39M of chapter 30 or sections 44A to 44J, inclusive, of chapter 149 which are applicable to projects over \$50,000. For purposes of this paragraph, the term "public notification" shall include, but not be limited to, posting at least 2 weeks before the time specified in the notification for the receipt of responses, the contract and scope-of-work statement: (1) on the website of the public agency, (2) on the COMMBUYS system administered by the operational services division, (3) in the central register published pursuant to section 20A of chapter 9 and (4) in a conspicuous place in or near the primary office of the public agency; provided, however, that if the public agency obtains a minimum of 2 written responses from a vendor list established through a blanket contract or a statewide contract procured through the operational services division, and the lowest of those written responses is deemed acceptable to the public agency, public notification is not required.*

This is now known as the “quote plus public notification” process, requiring both quotes and public advertising and award to the responsible bidder offering the lowest price (of all from whom quotes sought and from those who responded to the public notification process.)

**WRITTEN PURCHASE DESCRIPTION:**

Mr. Richard Moon, of \Natick’s Historic Commission, provided me with a written purchase description, which was attached as specifications to the RFQ.

**PUBLIC NOTIFICATION:**

Public notification of the Request for Responses was given in the form of the following statement:

**TOWN OF NATICK**

**NATICK, MASSACHUSETTS 01760**

**NOTICE TO RESPONDERS**

The Town of Natick, Natick Town Hall, 13 East Central Street, Natick, MA 01760 (“the Town”), acting through the Natick Select Board (Board of Selectmen), invites the submission of responses for repair and/or restoration of the Hunnewell Park Fence. The Request for Responses (“RFR”) may be obtained from the Procurement Office, c/o Natick Public Works Building, by emailing [bleblanc@natickma.org](mailto:bleblanc@natickma.org), between 8:00 A.M. and 4:00 P.M. local time, Monday through Thursday, and between 8:00 A.M. and 12:00 P.M. (noon) local time, Friday, beginning on September 1, 2021. No Pre-Response Conference shall be held. Responses will be received until 11:00 A.M. local time, September 16, 2021, by email to [bleblanc@natickma.org](mailto:bleblanc@natickma.org). All Responses shall comply with the RFR issued by the Town of Natick, including, without limitation, Section 1, Instructions to Responders, and Submission Requirements. The Town reserves the right to waive any informality in or to reject any, any part of, or all Responses in the best interest of the Town. Contract award is subject to appropriation and award by the Natick Select Board (Board of Selectmen). Any Response submitted will be binding for thirty (30) days subsequent to the time of opening. Award shall be subject to vote of the Natick Select Board (Board of Selectmen) and appropriation.

Notice was posted as follows:

Newspaper Advertisement: ( <u>MetroWest Daily News</u> )	8/27/21
Website Posting:	8/24/21
Town Hall Posting:	8/24/21
Central Register Publication:	9/01/21
COMMBUYS Posting:	8/24/21

Responses were due no later than 11:00 A.M. local time September 16, 2021.

**SOLICITED FIRMS:**

On September 1, 2021, I used the Request for Responses and its purchase description to solicit three (3) firms for written quotes, as required by M.G.L. c. 149, sec. 44A. Firms solicited for written quotes, at the emails shown below, at the suggestion of Mr. Moon, were:

Cassidy Bros. Forge, Inc.  
Attn: Maurice Cassidy  
282 Newburyport Turnpike  
Rowley, MA 01969  
Phone: 978-948-7303  
Email: [mcassidy@cassidybros.com](mailto:mcassidy@cassidybros.com)

Ryan Ornamental Iron, Inc.  
135 Stafford Street  
Worcester, MA 01603  
Phone: 508-752-9933  
Email: [ryanorniron@verizon.net](mailto:ryanorniron@verizon.net)

DeAngelis Iron Work, Inc.  
305 Depot Street  
PO Box 350  
South Easton, MA 02375  
Phone: 508-238-4310  
Email: [csc@deangeliiron.com](mailto:csc@deangeliiron.com)

Quotes were ultimately due no later than 11:00 A.M. local time on September 16, 2021.

QUOTE TABULATION

1. On September 16, 2021, Cassidy Bros., at the above address, submitted a quote with the following prices to provide the required services:

Name of Responder	Base	Alt. 1 (Deduct)	Alt. 2 (Add)	Alt. 3 (Add)	Alt. 4 (Deduct)	Alt. 5 (Add)	Alt. 6 (Add)	Alt. 7 (Add)	Alt. 8 (Add)
Cassidy Bros., Rowley, MA	\$12,800.00	(\$800.00)	\$1,200.00	\$1,200.00	(\$175.00)	\$200.00	\$200.00	\$200.00	\$200.00

Base =	\$12,800.00
Base + Alt. 1. =	\$12,000.00
Base + Alts. 1 + 2 =	\$13,200.00
Base + Alts. 1 + 2 + 3 =	\$14,400.00
Base + Alts. 1 + 2 + 3 + 4 =	\$14,225.00
Base + Alts. 1 + 2 + 3 + 4 + 5 =	\$14,425.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 =	\$14,625.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 =	\$14,825.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 + 8 =	\$15,025.00

2. On September 15, 2021, Ryan Ornamental Iron, at the above address, declined to submit a quote, citing scheduling issues.
3. DeAngelis Iron Work, at the above address, did not submit a quote by the due date/time.

## RESPONSE TABULATION

Responses were received by 11:00 A.M. on September 16, 2021.

- On September 16, 2021, Argus Fence, 5 Shawsheen Avenue, No. 2, Bedford, MA 01730 submitted response prices, as follows, to provide the required services:

Name of Responder	Base	Alt. 1 (Deduct)	Alt. 2 (Add)	Alt. 3 (Add)	Alt. 4 (Deduct)	Alt. 5 (Add)	Alt. 6 (Add)	Alt. 7 (Add)	Alt. 8 (Add)	
Argus Fence, Bedford, MA	\$38,000.00	(\$2,200.00)	\$5,000.00	\$3,800.00	(\$750)	\$4,800.00	\$5,000.00	\$4,800.00	\$4,800.00	

Base =	\$38,000.00
Base + Alt. 1. =	\$35,800.00
Base + Alts. 1 + 2 =	\$40,800.00
Base + Alts. 1 + 2 + 3 =	\$44,600.00
Base + Alts. 1 + 2 + 3 + 4 =	\$43,850.00
Base + Alts. 1 + 2 + 3 + 4 + 5 =	\$48,650.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 =	\$53,650.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 =	\$58,450.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 + 8 =	\$63,250.00

## OVERALL RESULTS

The lowest overall quote/response was that of Cassidy Bros. which submitted the following prices to provide the required services:

Name of Responder	Base	Alt. 1 (Deduct)	Alt. 2 (Add)	Alt. 3 (Add)	Alt. 4 (Deduct)	Alt. 5 (Add)	Alt. 6 (Add)	Alt. 7 (Add)	Alt. 8 (Add)
Cassidy Bros., Rowley, MA	\$12,800.00	(\$800.00)	\$1,200.00	\$1,200.00	(\$175.00)	\$200.00	\$200.00	\$200.00	\$200.00

Base =	\$12,800.00
Base + Alt. 1. =	\$12,000.00
Base + Alts. 1 + 2 =	\$13,200.00
Base + Alts. 1 + 2 + 3 =	\$14,400.00
Base + Alts. 1 + 2 + 3 + 4 =	\$14,225.00
Base + Alts. 1 + 2 + 3 + 4 + 5 =	\$14,425.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 =	\$14,625.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 =	\$14,825.00
Base + Alts. 1 + 2 + 3 + 4 + 5 + 6 + 7 + 8 =	\$15,025.00